

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

20740-242738

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)
10/009059

INTERNATIONAL APPLICATION NO.
PCT/EP00/05127

INTERNATIONAL FILING DATE
June 5, 2000

PRIORITY DATE CLAIMED
June 4, 1999

TITLE OF INVENTION RECOMBINANT FUSION PROTEIN, (VACCINE) COMPOSITION CONTAINING
THE SAME AND METHOD FOR THE PRODUCTION THEREOF

APPLICANT(S) FOR DO/EO/US

LOHMANN ANIMAL HEALTH GMBH & CO. KG

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

| | | |
|---|--|---|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.2) 10/009059 | INTERNATIONAL APPLICATION NO. PCT/EP00/05127 | ATTORNEY'S DOCKET NUMBER 20740-242738 |
|---|--|---|

| 21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | CALCULATIONS PTO USE ONLY | | | | | | | | | | | | |
|---|----------------------------------|------------------------|--------------|----------|--------------|--------|--|-----------|--------------------|-------|--|-----------|----|
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 | \$ | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x \$84.00</td> </tr> </table> | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | - 20 = | | x \$18.00 | Independent claims | - 3 = | | x \$84.00 | \$ |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | |
| Total claims | - 20 = | | x \$18.00 | | | | | | | | | | |
| Independent claims | - 3 = | | x \$84.00 | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$280.00 | \$ | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | \$ | | | | | | | | | | | | |
| SUBTOTAL = | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | \$ | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | \$ | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Amount to be refunded:</td> <td style="width: 20%;">\$</td> </tr> <tr> <td>charged:</td> <td>\$</td> </tr> </table> | | Amount to be refunded: | \$ | charged: | \$ | | | | | | | | |
| Amount to be refunded: | \$ | | | | | | | | | | | | |
| charged: | \$ | | | | | | | | | | | | |

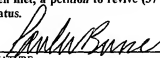
a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. **06-0029**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

| | |
|--|---|
| SEND ALL CORRESPONDENCE TO: Paul W. Busse Faegre & Benson LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901 |  _____ SIGNATURE Paul W. Busse _____ NAME 32,403 _____ REGISTRATION NUMBER |
|--|---|

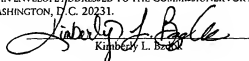
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|--------------------------------|
| Applicant: GEORG BALJER et al. | Examiner: |
| Serial No.: 10/009,059 | Group Art Unit: |
| Filed: December 3, 2001 | Docket No. 20740-242738 |
| For: RECOMBINANT FUSION PROTEIN, (VACCINE) COMPOSITION CONTAINING THE SAME AND METHOD FOR THE PRODUCTION THEREOF | |

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

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I CERTIFY THAT, ON FEBRUARY 28, 2002, THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS
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IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231.


Kimberly L. Boudreau

TRANSMITTAL LETTER

Enclosed for filing are the following papers in connection with the above-identified patent application:

1. Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
2. Declaration and Power of Attorney;
3. English Translation of the International Application;
4. PCT International Preliminary Examination Report;
5. Postcard.

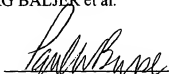
A self-addressed return postcard in accordance with M.P.E.P. Section 503 itemizing all of the above-referenced documents filed with the United States Patent and Trademark Office.

In the event the amount submitted herewith is insufficient in any respect, the Commissioner is hereby authorized to charge the balance needed to our Deposit Account No. and is requested to notify us of the same.

Respectfully Submitted,

GEORG BALJER et al.

By:


Paul W. Busse, #32,403
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Dated: February 28, 2002

M2:20446234.01